

**PSSB 5313** - S COMM AMD TO S-3068.4/19

By Committee on Ways &amp; Means

On page 4, after line 23, insert the following:

"(9) To address the funding disparity resulting from charter schools lacking access to local enrichment levy funds, the superintendent of public instruction must distribute to each charter school an amount based on the certified local enrichment levy per pupil for the previous year for the school district in which the charter school is located, multiplied by the student enrollment of the charter school in the current school year, as follows:

(a) Beginning September 1, 2019, fifteen percent;

(b) Beginning September 1, 2020, thirty percent;

(c) Beginning September 1, 2021, forty-five percent;

(d) Beginning September 1, 2022, sixty percent;

(e) Beginning September 1, 2023, seventy-five percent; and

(f) Beginning September 1, 2024, and thereafter, one hundred percent.

(g) The funding provided under this subsection (9) is not part of the state's statutory program of basic education deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution. Charter schools may use the funding provided under this subsection only to enrich the state's statutory program of basic education.

**Sec. 3.** RCW 28A.710.150 and 2016 c 241 s 115 are each amended to read as follows:

(1) A maximum of forty charter public schools may be established under this chapter (~~over the five-year period commencing with April~~

1 ~~3, 2016~~)). No more than eight charter schools may be established in  
2 any year (~~(during the five year period)~~), except that if in any year  
3 fewer than eight charter schools are established, additional charter  
4 schools, equal in number to the difference between the number  
5 established in that year and eight, may be established in subsequent  
6 years (~~(during the five year period)~~)).

7 (2)(a) To ensure compliance with the limits for establishing new  
8 charter schools, certification from the state board of education  
9 must be obtained before final authorization of a charter school.

10 (b) Within ten days of taking action to approve or deny an  
11 application under RCW 28A.710.140, an authorizer must submit a  
12 report of the action to the applicant and the state board of  
13 education. The report must include a copy of the authorizer's  
14 resolution setting forth the action taken, the reasons for the  
15 decision, and assurances of compliance with the procedural  
16 requirements and application elements under RCW 28A.710.130 and  
17 28A.710.140. The authorizer must also indicate whether the charter  
18 school is designed to enroll and serve at-risk student populations.  
19 The state board of education must establish, for each year in which  
20 charter schools may be authorized as part of the timeline to be  
21 established pursuant to RCW 28A.710.140, the latest annual date by  
22 which the authorizer may submit the report. The state board of  
23 education must send to each authorizer notice of the date by which a  
24 report must be submitted at least six months before the date  
25 established by the board.

26 (3) Upon the receipt of notice from an authorizer that a charter  
27 school has been approved, the state board of education shall certify  
28 whether the approval is in compliance with the limits on the maximum  
29 number of charters allowed under subsection (1) of this section. If  
30 the board receives simultaneous notification of approved charters  
31 that exceed the annual allowable limits in subsection (1) of this  
32 section, the board must select approved charters for implementation  
33 through a lottery process, and must assign implementation dates  
34 accordingly.

1 (4) The state board of education must notify authorizers when  
2 the maximum allowable number of charter schools has been reached."

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7 On page 1, line 1 of the title, after "Relating to" strike the  
8 remainder of the title and insert "K-12 education; amending RCW  
9 28A.500.015, 84.52.0531, and 28A.710.150."

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11  
EFFECT: (1) Requires the Superintendent of Public Instruction  
to distribute funding to charter schools based on the local  
enrichment levy collected by school districts. Funding is phased  
in by 15 percent per year until 2026 when funding the local  
enrichment levy will be matched at 100 percent. Provides that this  
funding is not part of the state's statutory program of basic  
education and that charter schools may only use the funding to  
enrich basic education.

(2) Eliminates the five-year period during which charter  
schools may be established.

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